



"I will stand for my client's rights.  
I am a trial lawyer."  
—Ron Motley (1944–2013)

28 Bridgeside Blvd.  
Mt. Pleasant, SC 29464  
o. 843.216.9000 f. 843.216.9450

**John M. Eubanks**  
*Licensed in MD & SC*  
direct: 843.216.9218  
JEubanks@motleyrice.com

**VIA CM/ECF**

August 6, 2021

The Honorable George B. Daniels  
U.S. District Judge  
United States District Court  
Southern District of New York  
Daniel P. Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

The Honorable Sarah Netburn  
U.S. Magistrate Judge  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

Re: *In re Terrorist Attacks on September 11, 2001*, No. 03 MDL 1570 (GBD)(SN)  
This filing relates to:  
*Burnett, et al. v. The Islamic Republic of Iran*, No. 15 CV 9903 (GBD)(SN)  
*Burnett/Iran XXIII*

Dear Judge Daniels and Magistrate Judge Netburn:

I write today on behalf of certain Plaintiffs in the above-captioned case regarding their motion for the entry of partial final default judgments against, *inter alia*, the Islamic Republic of Iran. As the Court is aware, judgments obtained against designated state sponsors of terrorism are eligible for submission for limited compensation from the U.S. Department of Justice-administered United State Victims of State Sponsored Terrorism Fund ("USVSSTF"). While the USVSSTF has not publicized a deadline for its next round of distributions to eligible claimants within the Fund, Plaintiffs seek the entry of these default judgments to allow them to proceed with claims in the Fund at such time as it determines a subsequent round of distributions will be authorized. In pursuit of this goal, we submitted the following documents on March 2, 2021 for the Court's determination:

1. ECF No. 6632: Plaintiffs' Notice of Motion for Entry of Partial Final Default Judgments on Behalf of *Burnett/Iran* Plaintiffs Identified at Exhibits A and B (*Burnett/Iran XXIII*);
2. ECF No. 6633: Memorandum of Law for Entry of Partial Final Default Judgments on Behalf of *Burnett/Iran* Plaintiffs Identified at Exhibits A and B (*Burnett/Iran XXIII*);



August 6, 2021  
Page 2

3. ECF No. 6634: Declaration of John M. Eubanks in Support of Motion for Entry of Partial Final Judgments on Behalf of *Burnett/Iran* Plaintiffs Identified at Exhibits A and B (*Burnett/Iran XXIII*) – including Exhibits A through C (as filed);
4. Disc containing Exhibit C to the Declaration of John M. Eubanks in Support of Motion for Entry of Partial Final Default Judgments on Behalf of *Burnett/Iran* Plaintiffs Identified as Exhibits A and B (*Burnett/Iran XXIII*) that was filed Under Seal pursuant to ECF No. 5716; and
5. ECF No. 6635: Order of Partial Final Default Judgment on Behalf of *Burnett/Iran* Plaintiffs Identified at Exhibits A and B (*Burnett/Iran XXIII*).<sup>1</sup>

This motion included the following categories of claims: 254 solatium claims, nine wrongful death pain-and-suffering damages claims, seven wrongful death economic-loss damages claims, and ten wrongful death pain-and-suffering and economic-loss damages claims. In anticipation of the USVSSTF's Special Master setting a September 2021 deadline for the submission of new applications for inclusion in the next round of distributions from the Fund, and being ever mindful of the Court's schedule and obligations, I write today to address any questions or concerns the Court may have regarding these submissions which have been pending before the Court since March 2, 2021.

Respectfully submitted,

John M. Eubanks

cc: All counsel of record (via CM/ECF)

---

<sup>1</sup> In addition, other Plaintiffs in this same case filed a separate Motion for Partial Final Default Judgment on July 15, 2021. *See* ECF No. 6951 (*Burnett/Iran XXIV* – 49 solatium claims, four wrongful death pain-and-suffering damages claims, two wrongful death economic-loss damages claims, and two wrongful death pain-and-suffering and economic-loss damages claims). Separate motions have been filed in other cases within the MDL that remain pending as well. *See* ECF Nos. 6639 (*Ashton XXI* – 131 solatium claims); 6646 (*Ashton XXII* – four wrongful death economic-loss damages claims); 6668 (*Chairnoff* – 14 solatium claims); 6675 (*Ashton XXIII* – one solatium claim); 6877 (*Anaya* – 63 solatium claims and 14 wrongful death pain-and-suffering damages claims); 6956 (*Arias V* – three solatium claims); and 6960 (*Prior V* – three solatium claims). Based on these numbers, claims for damages judgments for at least 570 plaintiffs in this MDL are currently pending before the Court.